

MINUTES OF THE CONFERENCE CALL MEETING
BOARD OF MASSAGE THERAPY

August 14, 2020

1. ROLL CALL

The conference call meeting of the Board of Massage Therapy was called to order by Brian Allison, Chair, at 9:01 a.m. in Conference Room LU1, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

The following members answered roll call:

Members Present (4):

Brian Allison, Chair
Steven Carper, Vice-Chair
Mallory Carstens, Member (entered meeting at 9:06 a.m.)
Michele Helaney, Secretary

Members Absent (0):

Others Present (6):

Kris Chiles, Program Manager, Licensure Unit
Anna Harrison, DHHS Compliance Monitor
Natalee Hart, Assistant Attorney General
Larry Wiehn, DHHS Investigations
Suzanne Glover-Ettrich, DHHS Attorney
Heidi Weiland, Health Licensing Coordinator

2. ADOPTION OF AGENDA

MOTION: Helaney moved, seconded by Carper, to adopt the agenda. A voice vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0). Motion carried.

3. APPROVAL OF MINUTES (7.10.2020)

MOTION: Helaney moved, seconded by Carper, to approve the minutes of 7.10.2020. A voice vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Abstain: (0). Motion carried.

4. REGULATION UPDATE: 172 NAC 81, 82, 83

Chapter 81, 82, 83 were approved by the Board of Health on June 15, 2020; they are currently be reviewed by the Attorney General for approval; then the Governor's Office; effective 5 days after filing with the Secretary of State (providing approved at all steps of the process).

5. REPORTS AND UPDATES:

- a. COVID-19: New Directed Health Measures Since Last Meeting
<http://dhhs.ne.gov/Pages/Coronavirus.aspx>,

Chiles indicated that 66 counties are in Phase III and 27 counties in Phase IV of the reopening guidelines. The listing of counties and the guidance for each of the directed health measures can be found on the massage therapy home page.

Phase III

Salons, Barber Shops, Massage Therapy Services, & Tattoo Parlors/Body Art Facilities

- Will be limited to 75% of rated occupancy.
- Both workers and patrons are still required in the DHM to wear masks at all times.
- ♦ An exception will be made for all services performed on faces. Patrons will be permitted to

remove their mask while receiving services directly. The mask must be worn by the patron at all other times while on the premise.

Phase IV

Salons, Barber Shops, Massage Therapy Services, & Tattoo Parlors/Body Art Facilities

– Section is removed from DHM. Guidance will remain and use is recommended.

Chiles reported that she has noticed many exam results coming into the office and inquired about any difficulties individuals are having in the testing process. Carper noted no difficulties that he is aware of.

- b. 2020 Legislative Session Update and Discussion <https://nebraskalegislature.gov/> (Session 7.20.20 - 8.13.20)
 - LB 347: Exempt Reflexology
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=37629
There has been no action on this bill. Chiles reported that Carper did resend the Board's letter of January 17, 2020 to the committee; Carper stated he received responses from the letter he resent out on behalf of the board, in opposition of LB347.
 - LB's of other interest – no other bills were discussed

9:15 a.m. Glover-Ettrich exited the meeting

6. CLOSED SESSION: **INVESTIGATIVE REPORTS AND OTHER CONFIDENTIAL INFORMATION**

MOTION: Helaney moved, seconded by Carper, to enter into closed session at 9:17 a.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. Carper repeated the motion purpose. A roll call vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0) Abstain: (0). Motion carried.

9:20 a.m. Wiehn entered the conference call

9:35 a.m. Wiehn exited the conference call

7. OPEN SESSION: **REVIEW, RECOMMENDATIONS, AND REPORT OUT RELATING TO:** Applications, Mail Ballot Voting Results, and Reinstatements

Verbal agreement to return to open session at 9:37 a.m.

Initial Applicant – Reciprocity

Chiles presented a reciprocity application whereby the applicant requested consideration for the hours she taught massage therapy educational courses rather than attending courses as a student. The current regulations are as follows:

Reciprocity: An applicant who is licensed in another jurisdiction and has not completed 1,000 hours of training in massage therapy, may obtain hours to equal the required 1,000 hours of training through a massage therapy program, a college/university, work experience and/or continuing education. Where one semester credit hour of massage therapy related college/university hours equals 15 hours.

All board members agreed that teaching a massage therapy college/university course should be equivalent to attending as a student and should receive credit for teaching massage therapy courses according to our regulations.

Lotus Massage Therapy – Initial License

Mail Ballot Report Out

Majority vote was to recommend issuing the license with a 6 month probation and the owner successfully complete the jurisprudence within the first 90 days of issuance. The owner accepted the probation offer and the license has been issued on probation.

8. ADJOURNMENT

The next meeting is scheduled for October 23, 2020 and will be set as a conference call. There was no further business and Allison declared the meeting of the Board of Massage Therapy adjourned at 9:46 a.m.

Submitted by Michele Helaney, Secretary
Board of Massage Therapy

Minutes drafted by Heidi Weiland, Health Licensing Coordinator